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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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VIAONE TECHNOLOGIES, INC.

Civil Action: 06 Civ 12983 (RCC)

Plaintiff

-against-

NOTICE OF MOTION TO STAY
PROCEEDINGS AND COMPEL
ARBITRATION

MR. PREPAID, INC., et al.

Defendants

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NOTICE OF MOTION

SIRS:

PLEASE TAKE NOTICE, that upon the annexed Declaration of Daniel D. Ely dated December 6, 2006, the Memorandum of Law in Support of the Motion to Stay this Litigation and Compel Arbitration, The Rule 7.1 Disclosure Statement, the Defendant's Motion to Stay Proceedings and Compel Arbitration, upon the prior pleadings and proceedings herein, and pursuant to the Memo Endorsed Order of this Court dated December 11, 2006 (the "Order"), a Motion pursuant to Rules 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure and further pursuant to the Federal Arbitration Act, 9 U.S.C. Sections 1 et.seq. will be made to this Court to be held at the courthouse thereof, located at 500 Pearl Street, New York, New York on

December 22, 2006 for an Order staying this Litigation and referring the parties to arbitration. Oral argument, if any, shall occur only if directed by the Court.

PLEASE TAKE FURTHER NOTICE, that opposition papers, if any, pursuant to the Order are required to be served on December 22, 2006.

PLEASE TAKE FURTHER NOTICE that a proposed Order resolving this Motion is annexed hereto.

Dated: New York, New York
December 14, 2006

AVROM R. VANN, P.C.
Attorneys for Defendants
Mr. Prepaid, Inc. and Daniel D.
Ely

By: _____/s_____
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